

KEY INFORMATION

Ward North East

Proposal

64 new houses over 3 sites within Mill O'Mains

Address

Land at Uist Terrace, Barra Terrace and Gruinard Terrace, Dundee

Applicant

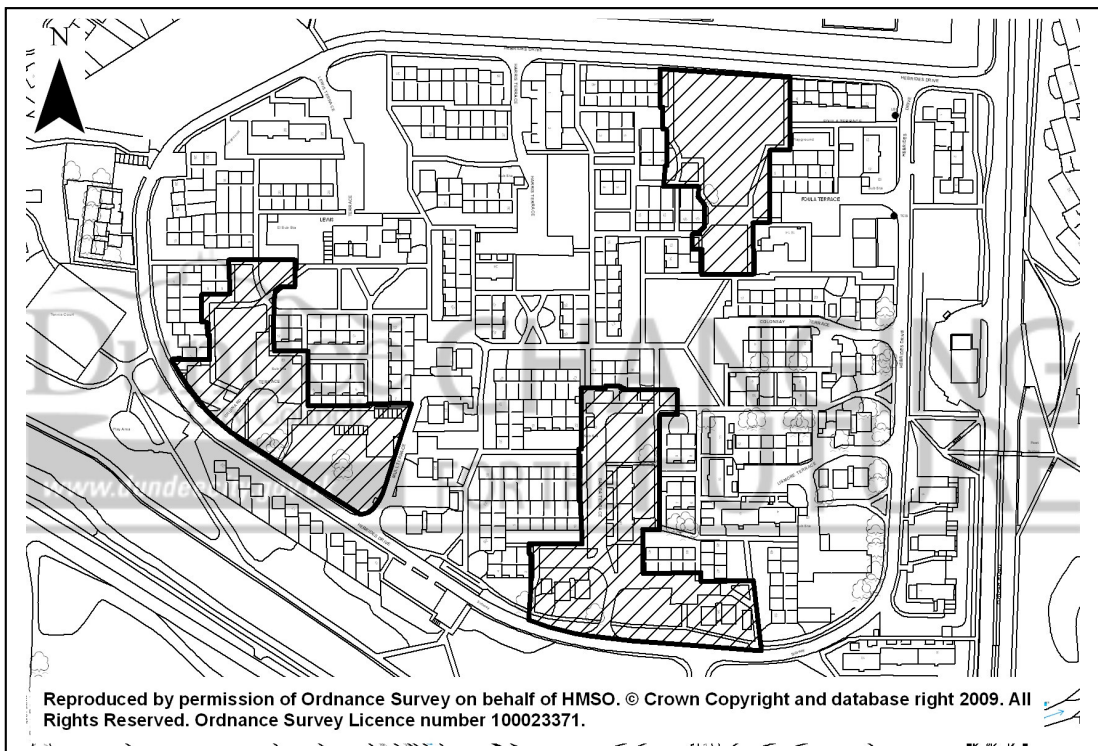
Home in Scotland
27 Albert Square
Meadowside
Dundee
DD1 1DJ

Agent

HTA Hudson House
8 Albany Street
Edinburgh
EH1 1QB

Registered 22 July 2009

Case Officer Julie Young



New Houses Proposed for Mill O'Mains

64 new houses over 3 sites within Mill O'Mains is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of City Development.

RECOMMENDATION

The proposal fully complies with the approved Masterplan for this area and with the Development Plan. The objections do not carry sufficient weight to merit refusal of the proposal. Accordingly, the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of 64 houses over 3 sites at Mill O'Mains. The development is phase one of the overall regeneration of Mill O'Mains, which is proposed over 4 phases and over a number of years. This application was deferred from the December 2009 Development Quality Committee Meeting in order that deputations could be heard.
- Five letters of objection were received from residents with the main concerns related to loss of lock up garages; residential amenity; traffic, parking and access issues; maintenance of trees and landscaping; drainage/infrastructure problems; noise from road traffic and safety of pedestrians.
- Policies 4, 55 and 70 of the Dundee Local Plan Review 2005 are of relevance to the determination of the application.
- Although some of the garden sizes and the location of some of the parking areas do not meet the standards specified in Appendix 1 linked to Policy 4 of the Local Plan, Policy 4 also states that the council can vary these standards through site planning briefs. In this case a Masterplan for the entire Mill O'Mains regeneration was formally approved by Committee in July 2009 and the development fully complies with this Masterplan.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of 64 houses at 3 sites at Gruinard Terrace, Uist Terrace and Barra Terrace, which are all off Hebrides Drive within Mill O'Mains, Dundee. The development forms phase 1 of the regeneration of Mill O'Mains.

The entire site extends to a total area of 2.24 hectares, which is subdivided into 3 smaller sites. Site 1 covers an area of 0.74 hectares, site 2 is 0.59 hectares and site 3 is 0.93 hectares.

The housing mix consists of 20 detached, 14 semi-detached and 30 terraced houses over the 3 sites.

The proposed materials are engineering brick and white render walls; concrete roof tiles; metal roofs; painted timber windows and doors; weatherboarding details; 0.9m high metal fences and hedges and 1.8m high timber fences around the boundaries of the site and houses and block paving and tarmac driveways.

125 car parking spaces will be available upon completion of the development. The applicant is providing some existing houses with parking spaces, particularly where lock-up garages will be removed.

The applicant proposes to remove some trees within the site and demolish lock-up garages.

Justification from Applicant

The applicant submitted a design statement and sustainable development profile in support of the application, which includes details of the house types, schedule of accommodation and details of a sustainable development profile.

SITE DESCRIPTION

Mill O'Mains is located on the west side of Forfar Road and at the north end of the City. It is a Council estate development, which was developed in the late 1960s. Claverhouse Industrial Estate is located to the north, Trottick to the west and Caird Park to the south. Fintry is located on the opposite side of Forfar Road and Claverhouse East Industrial Estate to the north east, on the opposite side of Forfar Road. The Dighty Burn runs along the southern

end of Mill O'Mains. The house types in the estate are 2 storey terraced, small terraced cottages, semi-detached houses and 5 storey flatted blocks. Hebrides Drive is the main access road around the boundary of the site and cul-de-sacs are located off this road and lead to various parking courts and pockets of housing. There are no through roads providing access throughout the site. Various pedestrian footpaths are located throughout the area.



The Phase 1 application covers 3 sites at Gruinard Terrace, Uist Terrace and Barra Terrace. Site 1 is to the north and south of Gruinard Terrace and at the west end of Hebrides Drive. It is a brownfield gap site with some lock-ups located at the south end of the site. Site 2 is located at the north end



of Hebrides Drive and to the east and west of Uist Terrace. Site 3 is located at the south end of Hebrides Drive and to the east and west of Barra Terrace.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 2005

The following policies are of relevance:

Policy 4: Design Of New Housing - this policy requires new housing development to conform to the Design Standards contained in Appendix 1 of this Local Plan unless the Council, through either site allocation in the Local Plan or site planning briefs, considers it appropriate to vary the standards to reflect the constraints or opportunities offered by the development of a particular site.

Policy 5: Open Space Provision As Part Of New Housing Developments - this policy requires major housing proposals to ensure that new open space is well integrated with the existing open space network by incorporating green access corridors which link up with existing path networks and open spaces, to allow ease of movement for pedestrians, wheelchair users and cyclists.

Policy 55: Urban Design - this policy emphasises the importance of design quality and the creation of new public places and points of interest which incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. All development will, in its design and layout, be expected to contribute to an environment which is safe and accessible to all.

Policy 70: Semi-Natural Greenspaces Of Local Nature Conservation Importance - this policy seeks to protect Sites of Importance for Nature Conservation or Local Nature Reserves.

Policy 75 Sustainable Drainage Systems - this policy is supportive of proposals that can demonstrate through the provision of sustainable urban drainage techniques that existing and proposed development will not be significantly affected by a 1 in 200 year rainfall event. Significant flooding is defined as an event where the level of flooding is within 300mm of floor level.

In accordance with POLICY 76 FLOOD RISK there is a presumption against development in high risk areas where there is a 0.5% or greater annual probability of flooding (equivalent to a 1 in 200 year event or greater).

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Scottish Planning Policy 3: Planning for Housing reflects the key planning policies in Scottish Planning Policy 1: The Planning System and addresses them in relation to new housing.

Designing Places - Policy Statement for Scotland (Scottish Executive 2000). This document sets out the policy context for raising the standards of urban development in Scotland.

Planning Advice Note 67: Housing Quality explains how "Designing Places" should be applied to new housing. It identifies the qualities found in successful places and provides examples of successful development in order to promote good design.

Non Statutory Statements of Council Policy

Dundee Urban Design Guide, 2001.

SUSTAINABILITY ISSUES

The proposal involves the re-development of brownfield sites within Mill O'Mains resulting in the improvement and enhancement of the area and overall enhancement of the City. The application raises no concerns in relation to the Council's Sustainability policies.

SITE HISTORY

The applicants carried out consultation over months with local residents and Dundee City Council on ideas for improving Mill O'Mains. A masterplan for the entire Mill O'Mains housing regeneration area was approved by Committee in July 2009.

Over recent years the number of residents has declined dramatically and the area has become less popular. The demolition of flats across some 16 sites has removed some of the worst

buildings but left a smaller community and increased the reputation of Mill O'Mains as an area with considerable problems.

This application was deferred from the December 2009 Development Quality Committee Meeting in order that deputations could be heard.

PUBLIC PARTICIPATION

The application was advertised as a departure to Policy 4 of the Dundee Local Plan Review 2005 on 3 August 2009.

Statutory neighbour notification was carried out and five letters of objection were received. The main grounds of objection are loss of lock up garages; residential amenity; traffic, parking and access issues; maintenance of trees and landscaping; drainage/infrastructure problems; noise from road traffic and safety of pedestrians.



Members will already have had access to these letters and the issues raised are considered in the Observations Section of this Report.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has considered the Preliminary Risk Assessment for the site submitted by the applicants and has advised that planning conditions should be applied to cover potential contamination issues

OBSERVATIONS

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

The proposed development is phase 1 of the regeneration of Mill O'Mains and is for 64 houses over 3 sites within the area. The proposal was initially advertised as contrary to Policy 4 of the Dundee Local Plan Review 2005 due to the shortfall in garden ground for some of the houses and the fact that some parking was not within the curtilage of houses. However since the advertisement of the application the Mill O'Mains Masterplan was approved by the Development Quality Committee as a Material planning consideration. The effect of this is that any deviations from the standards set out in Appendix 1 linked to Policy 4 are acceptable in terms of that policy provided that they accord with the approved Masterplan for the site.

Policy 4 of the Dundee Local Plan Review 2005 requires 75% of houses to have 3 bedrooms or more or a minimum gross internal floor area of 100sqm. 25% of the houses have 2 bedrooms and the remainder have either 3 or 4 bedrooms. A choice of detached, semi-detached and terraced houses is provided. The applicant aims to replace unpopular flats with popular houses with private gardens. The proposal therefore complies with the housing mix requirement.

Parking requirements are at least one space per dwelling and 50% should have a garage or space for one. Almost 200% parking is provided but not all of this is within the curtilage of houses and communal parking areas are proposed adjacent to houses. The main house type at present and within the proposed development is terraced, which does not lend itself to the inclusion of a large area for parking and garage provision. In terms of garden ground, only 16 out of 64 of the houses have more than 120sqm of garden ground. It is considered that with regard to garden sizes and the location of some parking provision the proposal does not comply with the requirements set out in Appendix 1.

However the Masterplan for the site states that a shortfall in the garden ground and the parking arrangements proposed would be acceptable as part

of the redevelopment of Mill O'Mains. A main reason for this is the type of housing, which is mainly terraced and does not lend itself well to the inclusion of large gardens and extensive in curtilage parking. The Masterplan accepts that for the terrace houses to maintain existing building lines for retained houses garden sizes for terraced houses will be in the order of 70 sq. meters and this is what is currently proposed in the redevelopment of the sites. There are a very limited number of houses which do not achieve this standard and these are the replacement cottages which the Masterplan accepts will each have a small private courtyard.

Policy 4 requires new housing development to meet "Secured by Design" standards. Measures that promote safety and security into the design and layout of the site have been introduced. The applicant proposes to integrate the existing buildings into the surrounding area more effectively than at present. Presently some houses are accessed from pedestrian-only paths and are surrounded on all sides by public routes, meaning they are difficult to access and have no defensible space. New streets will be created that pass these houses, and footpaths will be removed to allow access around the houses and provide a safer environment for residents. Pedestrian links have been designed to be overlooked to provide for a degree of surveillance. It is proposed that footpaths will be well lit. Improvements will be made to public transport provision and traffic calming measures introduced.

In terms of bin storage, the current arrangements in Mill O'Mains are that residents use communal bin stores. The proposal will remove this and each household will have individual bins. The proposed development introduces streets that are accessible by bin lorries.

It is concluded that the proposed development complies with the approved Masterplan for Mill O Mains and therefore also complies with Policy 4 of the Local Plan.

Policy 5 seeks to protect existing open spaces and secure appropriate provision that meets the needs of households as part of new housing proposal. The Policy accepts that this provision may be off site, depending

on local provision in the surrounding area.

The site benefits from being within close proximity to nearby open space areas such as Caird Park to the south. As flats are being replaced with houses, there will be fewer public open spaces in the area, but the aim is to make them high quality, safe and well designed. The final phase of the regeneration of Mill O'Mains will include a number of open space areas at the south end of the site, which will provide for the houses within this phase and other phases of the development.

It is considered that the proposal complies with Policy 5 for the reasons above.

Policy 55 seeks to ensure that any proposed development is of a high design quality. It should incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. All development will, in its design and layout, be expected to contribute to an environment which is safe and accessible to all.

The applicant submitted a design statement and sustainable development profile for phase 1.

The applicant has selected a palette of simple materials and crisp details which complement the popular existing single and two storey houses within Mill O'Mains. A strong sense of place will be created and the development will be integrated within the local context. Problems with the previous development have been identified by the applicant and addressed through the new layout, which will provide a more pedestrian and traffic friendly environment with a wide choice of housing with private garden areas and parking provision. The regeneration of Mill O'Mains offers a unique opportunity for a better housed, inclusive and sustainable community.

Given the proposals and the objectives presented by the applicant, it is considered that the proposal complies with Policy 55.

POLICY 70 states that development proposals must not adversely affect the nature conservation qualities of Sites of Importance for Nature Conservation or Local Nature Reserves. There will be a presumption against the

development of semi-natural greenspaces within Wildlife Corridors shown on the Proposals Map, to minimise physical barriers to continuity, safeguard ecological integrity and promote biodiversity conservation.

In this phase, the only proposal which may affect the Wildlife Corridor to the south is the proposed location of the SUDS system for the entire Mill O'Mains redevelopment area. No houses are proposed within the wildlife corridor itself. Should Members be minded to approve the application then the protection of the nature conservation value of the wildlife corridor can be made the subject of a planning condition.

Policies 75 and 76 relate to sustainable drainage and flood risk. The proposed development lies outwith the area identified as being susceptible to flooding. However in order to provide sustainable drainage for the current proposals and future phases of the redevelopment of Mill O Mains it is also necessary to ensure that these facilities also lie outwith the area susceptible to flooding. Work on the sustainable drainage of the site is ongoing but had not been concluded at the time of writing this report. However given that the development itself is not susceptible to flooding and that there is a significant amount of land available to provide for drainage facilities it is considered that in these circumstances it would be appropriate to cover this matter by a planning condition should Members be minded to approve the development.

Other Material Considerations

Masterplan

An overall masterplan for Mill O'Mains was produced after considerable consultation exercises with the local community and various bodies. It was formally approved by Committee in July 2009.

5 objectives of the masterplan are as follows:

- 1 Create New Houses on Streets - where possible, existing parking courts will be removed and new streets created through Mill O'Mains. The streets will be designed to keep traffic speeds low and will allow existing and new residents to get direct access

- to their front doors, and to park cars outside their homes.
- 2 Create Good Quality Open Spaces - At present many open spaces on Mill O'Mains are left over after the demolition of buildings. As flats are being replaced with houses, there will be fewer public open spaces in the area, but the aim is to make them high quality, safe and well designed.
 - 3 Improve the Connections - At present it can be difficult to find your way around Mill O'Mains. An aim is to make it easier and safer to get around, with more well lit streets and fewer badly lit footpaths.
 - 4 Build Popular House Types - The "Semis" on Mill O'Mains are very popular and more houses like these will be built. They will be well insulated to keep heating costs down and will have level access at the entrances to make it easier to get in and out, for residents and visitors.
 - 5 Create a Positive Image - the proposals for Mill O' Mains are to improve the good bits and remove the less good. As well as changing it for the people who live there, the image of the area will be improved throughout the rest of the City.

Specific problems identified with the current Mill O'Mains housing area are as follows:

- i Private dwellings and gardens are surrounded on all sides by public space or footpaths, leading to a lack of defensible space;
- ii It is unclear where the front door is (particularly with the 3 storey flats);
- iii Lack of security of shared flat entrances;
- iv 2 storey houses are popular and many are privately owned;
- v Low appeal of 5 storey walk-up blocks;
- vi Boarded up properties and gap sites.

The key conclusions of the analysis of the estate by the applicant are as follows:

- Lack of clear and safe pedestrian routes or views through the estate;
- The existing road layout has a number of problems:
 - i race track form of circular , untraffic calmed, Hebrides Drive;
 - ii cul-de-sacs lead to parking courts that are remote from housing and are a focus for vandalism;
 - iii limited vehicle permeability leads to difficulties for emergency services, as well as day to day visitors.
- Disjointed and poor quality public open space;
- Private gardens lack security;
- Poor definition and layout of public and private areas;
- Good access to Caird Park, Dighty Water and road network;
- Popular one and two storey houses.

The proposed development is fully in accordance with the terms and objectives of the Masterplan and as discussed above, this justifies the failure to meet Appendix 1 standards in relation to garden sizes and remote parking for some dwellings.

Objections

1 Loss of lock up garages

The applicant is providing parking spaces where lock-up garages will be removed. Therefore there will be sufficient parking provision within the area. One objector was concerned that there would be a loss of security by replacing lock ups with parking spaces but it is considered that the redevelopment of these sites will lead to an overall rise in security on the estate.

2 Residential amenity

It is feared that there will be a loss of privacy as houses built closer to existing residents. Back to back gardens will be provided with new and existing houses and houses are more than the required 18m away as set out in Policy 4. It is considered that there will be

no unacceptable loss of amenity for existing residents by the positioning of the new houses.

3 Traffic, parking and access issues

The applicant is providing 125 parking spaces, which complies with Policy 4 requirements. Where existing lock-up garages are being removed additional parking spaces will be provided either within the curtilage of houses or within close proximity to the houses.

4 Maintenance of trees and landscaping

A condition will be attached, if Members are minded to grant approval of the application, to ensure that details of the maintenance of the trees and landscaping are submitted for approval.

5 Drainage/infrastructure problems

The applicant has provided some details of proposed drainage for the site, which is considered acceptable both to Dundee City Council and Scottish Water and the remaining matters relating to the sustainable drainage of the site can be the subject of a planning condition should Members be minded to approve the application. The infrastructure for the site is considered acceptable and a transport statement form was submitted by the applicant, the detail of which is considered acceptable.

6 Noise from road traffic

It is not considered that the redevelopment of Mill O'Mains will introduce a significant increase in traffic noise levels within the area.

Potential Contamination

The applicants have submitted a predetermination preliminary risk assessment as required by the Head of Environmental Health and Trading Standards and conditions will be attached, if Members are minded to grant approval of the application, to ensure that the development is carried out in accordance with this assessment.

PAN 67

The proposal can be assessed under six essential criteria as outlined in the PAN and they are as follows:

- 1 Distinctive identity - new buildings are created that will create new public spaces and demonstrate an architectural language which is sensitive to the surrounding area;
- 2 Safe and pleasant places - The arrangement ensures that open spaces and footpaths are overlooked and a safe environment is encouraged;
- 3 Easy to get around - routes through the site are connected, which is an improvement to the existing situation;
- 4 Welcoming - The layout is clearly legible with paths and entrances to all accommodation clearly expressed;
- 5 Adaptable - a wide mix of residential accommodation for a variety of family types and living patterns is provided;
- 6 Resource efficient - the buildings have been orientated to maximise passive solar gain.

It is concluded that the concerns of the objectors are not of sufficient weight to justify a refusal of the application. The proposal accords with the approved Masterplan for the site and with the Development Plan. It is therefore recommended that planning permission be granted with conditions.

Design

It is considered that the proposed design and materials used for the residential development are appropriate for this location.

CONCLUSION

The proposal accords with the approved Masterplan for the site and with the Development Plan. It will make a substantial contribution towards the regeneration of the Mill O'Mains housing estate

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
- 2 Details of the proposed finishing materials including boundary treatments shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details
- 3 Prior to the development commencing on site, full details of the proposed drainage system and flood risk assessment for the site shall be submitted to the Council for written approval. These details shall also take into account the landscape and nature conservation value of the Dighty corridor. The development shall be carried out only in full accordance with such approved details.
- 4 Any existing accesses that are no longer required as part of the proposed development must be made good as footway to Dundee City Council specifications. Details shall be submitted for approval in writing by the Council and prior to work commencing on site.
- 5 Prior to the commencement of development, a scheme of landscaping shall be submitted to and approved by the Council, and it shall include indications of all existing trees and hedgerows on this land, and details of any to be retained, together with measures for their protection in the course of development in accordance with BS5837:2005. Full details of new planting and landscaping shall also be submitted to and approved by the planning authority prior to the commencement of development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition.
- 6 Full details of a maintenance plan for the existing and proposed trees shall be submitted to the Council for approval before any

development is commenced and if approved the development shall be carried out only in full accordance with such approved details.

- 7 Development shall not begin until the investigation and risk assessment proposed in the submitted Stage 1 Desk Study are completed and, if necessary, a remediation strategy to deal with contamination at the site has been submitted to and approved in writing by the planning authority. The strategy shall contain proposals to deal with contamination to include:
 - i the nature, extent and type(s) of contamination on the site.
 - ii measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages.
 - iii measures to deal with contamination during construction works.
 - iv verification of the condition of the site on completion of decontamination measures.
- 8 Before any of the dwellings hereby approved are occupied, the remediation strategy shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to and approved in writing by the planning authority.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.
- 2 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 To ensure that the site is adequately drained and there is no flood risk for future occupants of the site.
- 4 In the interests of pedestrian safety.

- 5 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 6 To ensure that the existing and proposed trees are adequately maintained, in the interest of the visual amenity value of the area.
- 7 To ensure that the application site can be developed in a manner fit for the proposed residential use.
- 8 To ensure that the application site can be developed in a manner fit for the proposed residential use.